

discovery but additional work is needed as the parties have used the time since the last extension to prepare for and attend the two mediations.

In addition to participating in mediation, Defendant is in the process of supplementing its discovery responses to produce even further information to the Plaintiffs. Expert discovery is also needed. Further, the Parties will require more time to prepare their pretrial order and exhibit list before trial.

Therefore, the Parties respectfully ask that the Court enter the following deadlines:

Expert designation deadline for the Plaintiffs	August 26, 2024
Expert designation deadline for the Defendant	September 25, 2024
Deadline to complete discovery	November 30, 2024
Deadline to file Summary Judgment	December 13, 2024
Deadline to file pretrial order, witness list, exhibit list, and all motion in limine, other pretrial motions	December 20, 2024

II. ARGUMENT AND AUTHORITIES

Trial courts have broad discretion in determining whether to grant a request to modify a scheduling order. *Villanueva v. Wal-Mart Real Estate Bus. Tr.*, No. 5:21-CV-35, 2022 U.S. Dist. LEXIS 242751, at *6 (S.D. Tex. 2022) (citing *Geiserman v. MacDonald*, 893 F.2d 787, 790 (5th Cir. 1990)). Good cause exists if a party shows “that the deadlines cannot reasonably be met despite the diligence of the party needing the extension.” *De villier v. Texas*, No. 3:20-cv-00223, 2023 U.S. Dist. LEXIS 56084, at *6 (S.D. Tex. 2023) (quoting *Marathon Fin. Ins., Inc., RRG v. Ford Motor Co.*, 591 F.3d 458, 470 (5th Cir. 2009)).

Good cause exists because the Parties have been diligent in pursuing discovery but need additional time. Thus far, the Parties have served and responded to initial discovery requests, produced their initial disclosures, Plaintiffs have provided their damage calculations, the topics for

the 30(b)(6) deposition, and other information. The Parties have engaged in mediation but scheduled its continuation on July 24. Given the additional work that is needed, the Parties simply request more time.

Finally, this motion is not sought for delay purposes only but so that justice may be done.

CONCLUSION

For these reasons, the Parties respectfully request that the Court grant this Motion and enter the following deadlines:

Expert designation deadline for the Plaintiffs	August 26, 2024
Expert designation deadline for the Defendant	September 25, 2024
Deadline to complete discovery	November 30, 2024
Deadline to file Summary Judgment	December 13, 2024
Deadline to file pretrial order, witness list, exhibit list, and all motion in limine, other pretrial motions	December 20, 2024

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CERTIFICATE OF SERVICE

I certify that on July 12, 2024, a true and correct copy of the foregoing instrument was filed through the Court's electronic case filing which will serve a copy of this document electronically on all counsel of record.

/s/ Laura Flores Macom

Laura Flores Macom